

Application No. 10/629,615
Docket No. 87354.3200
Customer No. 30734



Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Lee R. Klose, et al.) Confirmation No. 6120
Application No. 10/629,615) Group Art Unit: 2616
Filed: July 30, 2003) Examiner: Dmitry Levitan

For: SCAN TOOL CAN ADAPTER

TERMINAL DISCLAIMER PURSUANT TO 37 CFR §1.321(b)

United States Patent & Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

SPX CORPORATION represents that it is the exclusive owner of the entire right, title and interest in and to:

- (1) U.S. Application Serial No. 10/629,615, entitled SCAN TOOL CAN ADAPTER, filed July 30, 2003, by virtue of an Assignment from all inventors thereof executed on July 30, 2003, at Reel 014349, Frame 0410; and
- (2) U.S. Application Serial No. 10/676,614, entitled SCAN TOOL WITH DROPPED COMMUNICATIONS DETECTION AND RECOVERY AND IMPROVED PROTOCOL SELECTION, filed October 1, 2003, by virtue of an Assignment from all of the inventors thereof executed on July 21, 2004, at Reel 018374, Frame 0713, now U.S. Patent No. 6,928,349, issued August 9, 2005.

SPX CORPORATION hereby disclaims the terminal part of any patent granted on said U.S. Application No. 10/629,615 which would extend beyond the expiration date of the U.S. Patent No. 6,928,349.

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SPX CORPORATION further agrees that any patent issuing on the above-captioned Application No. 10/629,615 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,928,349, this agreement to run with any patent granted on said Application and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, SPX CORPORATION does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

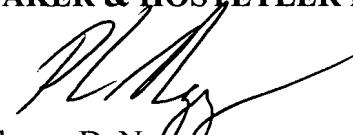
The undersigned Attorney of Record further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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The Commissioner is hereby authorized to charge the Disclaimer fee of **\$130.00**, as required by 37 CFR §1.20(d), and any additional fees which may be required for this submission, or credit any overpayment to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87354.3200.

Respectfully submitted,
BAKER & HOSTETLER LLP



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